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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 STEVE A. CLAUS AND MARK
ZOUZALIK,

12 Plaintiffs,

13 vs.

14 PACIFIC STOCK TRANSFER COMPANY,

15 Defendant.
16

Case No. 2:18-cv-01771-RFB-PAL

**JOINT STATUS REPORT REGARDING
E.S.I. PROTOCOL**

17 On December 11, 2018, the Court held a Scheduling Conference regarding the parties'
18 Proposed Joint Discovery Plan and Scheduling Order (ECF No. 24). The Court granted the
19 Proposed Joint Discovery Plan and Scheduling Order, but ordered counsel for the parties to meet
20 and confer to attempt to reach an accord regarding an E.S.I. protocol. On December 14, 2018,
21 counsel met and conferred, and stipulated to the proposed E.S.I. protocol attached as **Exhibit A**.
22 Having reached an agreement, the Status Conference set for December 27, 2018 at 9:30 a.m.

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1 appears moot. The parties, therefore, respectfully request that the Court vacate the Status
2 Conference.

3 Dated this 20th day of December, 2018.

4 Respectfully Submitted,

5 **WOLF, RIFKIN, SHAPIRO,
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By: /s/ Michael N. Feder

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*Attorney for Defendants Pacific Stock Transfer
Company*

Attorneys for Plaintiffs

21 **IT IS ORDERED** that the hearing scheduled for December 27, 2018 is **VACATED**.

22 **IT IS FURTHER ORDERED** that the parties shall separately submit a stipulation
23 regarding proposed ESI protocol that complies with LR IA 6-2 governing the required
24 form of order for stipulations.

25 Dated: December 26, 2018

26 
27 Peggy A. Leen
28 United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of December, 2018, a true and correct copy of **JOINT STATUS REPORT REGARDING ESI PROTOCOL** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Christie Rehfeld

Christie Rehfeld, an Employee of
WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP

Exhibit “A”

E.S.I Protocol

Exhibit “A”

EXHIBIT A

ESI Protocol

1. Documents shall be provided electronically through secure file transfer or on DVD, CD or external hard drive. The data size of the ESI will determine whether documents are provided through secure file transfer or on CD, DVD or hard drives;
2. Each party may compress and/or encrypt the volume for delivery purposes, and shall provide passwords for any compressed production volumes under separate cover, provided such volumes may be uncompressed and/or unencrypted without the use of additional software;
3. All documents shall be produced as they are ordinarily maintained, for example, organized by custodian and/or source;
4. All productions shall be free of computer viruses;
5. All production deliverables shall include the following two load files:
 - a. A Unicode (UTF-8) encoded DAT formatted load file, beginning with a header row containing all of the metadata fields outlined below; specifics of the DAT format are as follows: one record per row, columns are delimited with ASCII character value 020, column data is quoted with ASCII character value 254, newlines are indicated by ASCII character value 174, multi-values are delimited with ASCII character value 059 and nested values are delimited with ASCII character value 092.
 - b. A Unicode (UTF-8) encoded Opticon formatted file;
6. All documents shall be produced as images in either single-page 1-bit Group IV TIFF files (for black and white documents), with corresponding OCR (or extracted text from native originals), or single page JPEGs (for color images), with corresponding OCR (or extracted text from native originals), unless those documents are spreadsheets, presentations, multimedia or of a format that cannot be converted to TIFF or JPEG;
7. For documents produced as TIFF or JPEG image files, each shall be numbered at the page level with the Bates number stamped in the lower right-hand corner of each page indicating the Bates number of each respective page;
8. Documents that cannot easily be imaged should be produced in native format, with an image placeholder;
9. Where documents are produced in native format, the parent-child relationships (the association between e-mails and attachments or documents with their embedded documents) shall be preserved with child documents immediately following their parent;
10. For image, native and OCR/extracted text files, the filename shall be represented as the Bates number ending in the appropriate file format extension;

11. Where documents are available in their native format, the following metadata shall be provided in a DAT formatted load file:

Field Name	Field Description	Applicable Document Categories
BEG BATES	A document's first Bates number.	Hardcopy, eDoc, e-mail, attachment
END BATES	A document's end Bates number	Hardcopy, eDoc, e-mail, attachment
PAGE COUNT	The document's page count.	Hardcopy, eDoc, e-mail, attachment
GROUP IDENTIFIER	First Bates number of parent document.	eDoc, e-mail, attachment
EXTRACTED TEXT	The relative path to the document-level text file containing the document's OCR or extracted text.	Hardcopy, eDoc, e-mail, attachment
NATIVE FILE PATH	The relative path to any native files	eDoc, e-mail, attachment
PRODUCTION SET	A unique identifier given to the production volume; e.g., P001.	Hardcopy, eDoc, e-mail, attachment
SOURCE	The location from which the file was collected; e.g., e-mail server, file cabinet.	Hardcopy, eDoc, e-mail, attachment
CUSTODIAN	The person from whom the file was obtained.	Hardcopy, eDoc, e-mail, attachment
CONFIDENTIALITY DESIGNATION	The document's confidentiality designation, if one exists	Hardcopy, eDoc, e-mail, attachment
FILE NAME	The file's name at the time it was collected.	eDoc, e-mail, attachment
FILEEXTENSION	The file's extension at the time it was collected.	eDoc, e-mail, attachment
ORIGINAL FILE PATH	The file's file system path indicating where it was collected from or e-mail folder.	eDoc, e-mail
CREATED DATE	The date the file was created; format MM/DD/YYYY.	eDoc, e-mail, attachment
LAST MODIFIED DATE	The date the file was last modified; format MM/DD/YYYY.	eDoc, e-mail, attachment
META AUTHOR	The name(s) of a document's author(s).	eDoc, attachment
SENT TO	E-mail recipient.	E-mails
FROM	E-mail author.	E-mails
CC	E-mail CC recipient(s).	E-mails

1	BCC	E-mail BCC recipient(s).	E-mails
2	SUBJECT	E-mail subject.	E-mails
3	UNREAD	Whether the e-mail had been read by the recipient.	E-mails
4	MESSAGE ID	A unique identifier given to e-mail messages.	E-mails
5	SENT DATE	The date an e-mail was sent; format MM/DD/YYYY.	E-mails
6	SENT TIME	The time an e-mail was sent; format HH:MM:SS AM/PM	E-mails
7	RECEIVED DATE	The date an e-mail was received; format MM/DD/YYYY.	E-mails
8	RECEIVED TIME	The time an e-mail was received; format HH:MM:SS AM/PM	E-mails
9			
10	MD5 HASH	A document's MD5 hash value.	eDoc, e-mail, attachment

11 12. Where documents are available only as scanned documents, the following metadata shall
 12 be provided in a DAT formatted load file:

13	Field Name	Field Description	Applicable Document Categories
14	RELATIVITY ID	A document's first Bates number.	Hardcopy, eDoc, e-mail, attachment
15	PAGE COUNT	The document's page count.	Hardcopy, eDoc, e-mail, attachment
16	CONFIDENTIALITY	The document's confidentiality designation, if one exists	Hardcopy, eDoc, e-mail, attachment
17	DESIGNATION		

18 13. Extracted or OCR text shall be included in separate files versus in the load file itself, with
 19 each text file containing the text of the entire document, rather than a separate text file for
 20 each page of the document;

21 14. Where documents are scanned, scanning shall be performed at 300 DPI or higher, with
 22 logical breaks between documents, and parent/attachment links provided (in place of
 combining documents) where practicable;

23 15. The number of produced TIFF, JPEG, native and/or text files shall not exceed 1000 files
 24 per folder;

25 16. The parties shall take measures to de-duplicate any native documents to be added to the
 26 production through the use of MD5 hash, and also to de-duplicate any scanned documents
 27 where possible.
 28